

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

December 16, 2020

MOTOR CARRIER MATTER

☐

DOCKET NO.

2020-275-S

UTILITIES MATTER

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ORDER NO.

SUBJECT:

DOCKET NO. 2020-275-S - Application of Condor Environmental, Incorporated Requesting an Expansion of Its Existing Sewer Service Area to Include Certain Portions of Anderson County and Saluda County and Approval of Agreement (Request for Expedited Review) - Staff Presents for Commission Consideration the Office of Regulatory Staff's Response to Motion to Allow Service on a Provisional Basis.

COMMISSION ACTION:

In response to the Commission's request in Commission Order No. 2020-792, the Office of Regulatory Staff responded by providing a status report and commenting on Condor Environmental, Incorporated's Motion to Allow Service on a Conditional Basis according to the terms of its Application (hereinafter referred to as "Motion"). While several discrepancies between rates billed to customers and the Commission-approved rates for each of Condor's subdivisions are identified, ORS provided a status report on December 14th, 2020 asserting that the ORS has not completed discovery and that its review of Condor's Application #3 is on-going.

I move that the Commission grant Condor's Motion to provide service on a provisional basis to the current eight (8) homeowners in the Carriage Hills subdivision who are already receiving sewer service from Condor. While it was not lawful for Condor to begin providing sewer service to Carriage Hills prior to Commission approval of the 2018 agreement, the customers in Carriage Hills cannot be penalized until a hearing is held to determine the issues in the docket which include a determination of rates, but also whether or not Condor complied with the Commission's orders, rules and regulations. It is also claimed that the Carriage Hills homeowners do not have any other option for sewer service than Condor.

Condor will be allowed to receive compensation from the eight (8) homeowners that it currently serves in Carriage Hills at the provisional rates specified in the Motion and until the Commission makes a final ruling and determination on the rates proposed in Condor's Application. Additionally, I move that these provisional rates charged to these existing eight (8) Carriage Hills homeowner customers shall be subject to true-up only if the Commission approves permanent rates that are lower than the provisional rates and entitled to refunds or credits.

I also move that Condor be permitted to provide sewer service to the additional homeowners in the Carriage Hills subdivision, who have no other choice for sewer service, and that such sewer service shall be provided at the proposed provisional rates subject to true-up and entitled to refunds or credits if the permanent rates approved by the Commission are lower than the provisional rates.

Additionally, I move that we deny Condor's Motion to allow it to provide service on a provisional basis to the Palmetto Pointe subdivision. There are pending motions for intervention by American Land Holdings, LLC, Palmetto Pointe Development Company, LLC, and Palmetto Pointe Community Association, Incorporated, as well as a contested motion for intervention by Saluda County Water and Sewer Authority.

I move that we appoint F. David Butler as the hearing officer in this Docket and instruct Attorney Butler to schedule a procedural conference with the parties to develop a discovery and procedural schedule in this Docket. I so move, Madam Vice Chair.

PRESIDING: Belser

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER	
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Present in Hearing Room
CASTON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via Skype
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via Skype
POWERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via Skype
THOMAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via audio conference
C. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Voting via audio conference
J. WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Military Leave

(SEAL)

RECORDED BY: J. Schmieding

